

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. SONJA KOHN, et al., Defendants.	Adv. Pro. No. 10-05411 (SMB)

**STIPULATION EXTENDING TIME TO ANSWER, MOVE, OR OTHERWISE
RESPOND**

WHEREAS, the plaintiff, Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff, filed in this adversary proceeding a complaint dated December 10, 2010 and an amended complaint dated February 3, 2011 (the “Amended Complaint”);

WHEREAS, on August 25, 2011, the Trustee sought leave to amend the Amended Complaint and file a second amended complaint as the operative complaint;

WHEREAS, on August 29, 2011, the Trustee filed a proposed second amended complaint (the “Second Amended Complaint”) as an exhibit in connection with his opposition to motions to dismiss filed by UniCredit S.p.A., Pioneer Global Asset Management S.p.A., and UniCredit Bank Austria AG (the “Stipulating Defendants”);

WHEREAS, in a Memorandum Order dated February 21, 2012, the District Court recognized the Second Amended Complaint as the authoritative complaint and ordered it docketed;

WHEREAS, the District Court dismissed Counts One, Two, Twenty, Twenty-One, and Twenty-Two of the Second Amended Complaint against the Stipulating Defendants and returned what remained of adversary proceeding No. 10-05411 (SMB) to the Bankruptcy Court;

WHEREAS, a signed, dated copy of the Second Amended Complaint was filed with the Bankruptcy Court on April 6, 2012;

WHEREAS, the undersigned parties have previously entered into stipulations extending the Stipulating Defendants’ time to move, answer, or otherwise respond to the complaints in this adversary proceeding, as provided therein;

WHEREAS, on December 11, 2013, Judge Burton R. Lifland, in adversary proceeding No. 08-01789, entered the Order Granting Supplemental Authority to Stipulate to Extensions of Time to Respond and Adjourn Pre-Trial Conferences (ECF No. 5600) (the “Supplemental Authority Order”) granting the parties to an adversary proceeding authority to stipulate to, among other matters, extensions of time (through no

later than July 18, 2014) to move, answer, or otherwise respond to the operative complaint in such proceeding without further Bankruptcy Court order; and

WHEREAS, the Stipulating Defendants have requested a further extension of time to answer, move, or otherwise respond to the Second Amended Complaint.

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel as follows:

1. The time for the Stipulating Defendants to answer, move, or otherwise respond in adversary proceeding No. 10-05411 (SMB) shall be extended up to and including July 18, 2014;

2. Except as the Stipulating Defendants may have specifically waived defenses as to the sufficiency of process and service of process in prior stipulations, all parties hereto reserve, and specifically do not waive, any arguments, objections, rights, and defenses (including, without limitation, jurisdictional and venue defenses) available to each of them in adversary proceeding No. 10-05411 (SMB) and entry into this Stipulation shall not impair or otherwise affect such arguments, objections, rights, and/or defenses, including any challenges to personal jurisdiction, venue, or the jurisdiction of this Court or any other court; and

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3. To facilitate filing, the parties hereto agree that (a) electronic or pdf versions of their respective signatures shall be regarded as originals for purposes hereof, and (b) this Stipulation may be filed electronically and deemed served without further order from the Court, as provided in the Supplemental Authority Order.

DATED: May 12, 2014
New York, New York

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